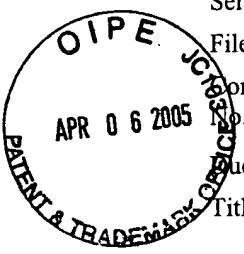


04-0805  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: NAKANISHI, et al. Examiner: P. Agustin  
Serial No.: 10/070,288 Group Art Unit: 2652  
Filed: February 28, 2002 Docket: 10873.887USWO  
Confirmation No.: 2652 Notice of Allow. n/a  
Issue Date: n/a Date:  
Title: OPTICAL ELEMENT, SEMICONDUCTOR DEVICE, AND OPTICAL INFORMATION RECORDING DEVICE EMPLOYING THE SAME

CERTIFICATE UNDER 37 CFR 1.10:

"Express Mail" mailing label number: EV 495842089 US

Date of Deposit: April 6, 2005

I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop Amendment, Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450.

By: \_\_\_\_\_  
Name: David Ortiz

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**2352**  
PATENT TRADEMARK OFFICE

Sir:

We are transmitting herewith the attached:

- Transmittal Sheet in duplicate containing Certificate of Mailing
- Supplemental Information Disclosure Statement, Form 1449, 6 Reference(s), Copy of Japanese Office Action
- Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612.332.5300

By: \_\_\_\_\_  
Name: Douglas P. Mueller  
Reg. No.: 30,300  
DPM/pjk

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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By:  
Name: David Ortiz

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(d))

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. At least some of the references were recently cited in an Japanese Office Action mailed March 22, 2005.

This statement should be considered because it is submitted after the mailing date of a final action under 37 C.F.R. § 1.113 or after the mailing date of the Notice of Allowance under 37 C.F.R. § 1.311 or after any other action that closes prosecution on the application, but before the payment of the issue fee. Enclosed is a check in the amount of \$180 for the fee set forth in 37 C.F.R. § 1.17(p). This statement is submitted as certified below under 37 C.F.R. § 1.97(e)(1) or (2) by the undersigned.

Certification Under 37 C.F.R. §1.97(e)(1)

In accordance with 37 C.F.R. §1.97(c) or §1.97(d), the undersigned hereby certifies that each item of information listed on the enclosed Form 1449 was first cited in a communication from a foreign patent office in a counterpart foreign application within three months of filing this statement.

**Certification Under 37 C.F.R. § 1.704(d)**

In accordance with 37 C.F.R. § 1.704(d), the undersigned hereby certifies that each item listed on the enclosed Form 1449 was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement. Accordingly, no patent term adjustment is due for the filing of this Information Disclosure Statement.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. § 1.98(a)(3)):

US 5,144,131 is an English equivalent of JP4-232621 and US 5,128,914 is an English equivalent of JP 11-339304. English abstracts have been included for all other foreign language references.

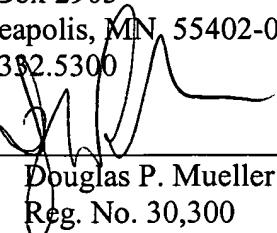
No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
(612)332-5300

By: 

Douglas P. Mueller  
Reg. No. 30,300

Dated: April 6, 2005

DPM/pjk

**23552**

PATENT TRADEMARK OFFICE

<b>FORM 1440*</b> <b>O I A</b> <b>INFORMATION DISCLOSURE STATEMENT</b> <b>IN AN APPLICATION</b> <small>(Use several sheets if necessary)</small>	Docket Number:	Application Number:
	10873.887USWO	10/070,288
	Applicant: NAKANISHI, et al.	
	Filing Date: February 28, 2002	Group Art Unit: 10873.887USWO

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	2-187936	July, 1990	Japan				
	4-232621	August, 1992	Japan				
	11-238234	August, 1999	Japan			Abstract	
	11-339304	December, 1999	Japan			Abstract	

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

23552  
PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.